

NOV. 21. 2001 12:38PM

Rev. 10/93

11-32
NO. 4712 P. 4
REDA
RESPONSE
UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1653
PATENT APPLICATION
11/30/9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

LAFFEND ET AL.

CASE NO.: CR-9715-B

APPLICATION NO.: 08/849,404

GROUP ART UNIT: 1653

FILED: 22 MAY 1997

EXAMINER: BUGIASKY, G.

FOR: BIOCONVERSION OF A FERMENTABLE
CARBON SOURCE TO 1,3-PROPANEDIOL
BY A SINGLE MICROORGANISM

REPLY

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This document is filed in response to the Final Office Action, Paper 29, mailed 22 May 2001. This Reply is filed outside the shortened statutory period. It is accompanied by a Petition to extend the period to respond to 22 November 2001 and the authorization to pay the appropriate fee. Additionally, a second RCE under the provisions for 37 CFR 1.114 is filed concurrently. Please enter the following comments.

REMARKS

Claims 20, 21 and 23-30 are pending in this RCE application. The relationship of this case to earlier filed applications in the same family has been added to the specification by previous amendment.

Non-statutory Double Patenting

Claims 20-21 and 22-30 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-2 and 4 of US 6,025,184, issued 15 February 2000.